

ORDINANCE COMMITTEE MEETING

July 1, 2008

Chairman James Coppernoll called the meeting to order at 7:00 P.M.

Trustee members present: Tad Whitchurch, Sally Hollembeak

Also, present: Attorney Jim Stevens; Administrator, David Nord; Village Clerk, Nancy L. Belt; Trustee, Linda Melton; Trustee, Stephen Appell; President Jim Claeysen; Trustee, Scott Kramer, Chief Todd Houde, PWD Joe Caveny & Denny McMullen

James Coppernoll moved to adopt the agenda adding: "Baumann Park Bike Path".

Sally Hollembeak seconded. Motion was carried by voice vote.

Sally Hollembeak moved to approve the June 2, 2008 ordinance committee minutes. James Coppernoll seconded. Motion carried by voice vote.

SECTION 53-2 – 58-3 OBSTRUCTION TO PUBLIC RIGHT-OF-WAYS

James Coppernoll stated that this ordinance was presented for first reading on June 3, 2008, "An Ordinance Amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Sections 58-2 and 58-3 (Obstruction to Public Right-of-Ways and Repair to Damaged Private Property)". **Sally Hollembeak moved to send this ordinance to the village board on July 1st, 2008 for passage. Tad Whitchurch seconded. Motion carried by voice vote.**

DEVELOPER'S DEPOSIT GUIDELINES

Attorney Jim Stevens stated that he has received Engineer Chris Cooper's and Village Clerk Nancy Belt's written recommendations setting the guidelines for the village to be reimbursed for engineering, attorney and any other expenses occurred by the developers. Attorney Stevens said he will meet with Joe Caveny, David Nord, Engineer Cooper & Nancy Belt before drafting this into ordinance form.

NUISANCES; CREATING; MAINTAINING

Attorney Jim Stevens stated that he needs to examine the state statutes if the police department can enforce the proposed nuisances requiring property owners to remove such items as; lumber, junk trash, debris, building supplies, household good, unused equipment but not limited to furniture, stoves, refrigerator, freezers, cans, containers, junked motor vehicles and vehicles, etc. The committee agreed to have Attorney Stevens research the legalities, and also to request Machesney Park's current ordinance.

BAUMANN PARK RECONFIGURE BIKE PATH

Denny McMullen stated that at the May 7, 2008 public works committee meeting he presented diagrams that would reconfigure the initial slope on to Walnut Street of the recreation path in Baumann Park. Denny said it was the recommendation of the committee to wait for the bids to be approved before obtaining costs for the reconfiguration of the slope. Denny asked if the board would

like for him to pursue costs for the reconfiguration since the bids came in under budget. It was the consensus to have Denny present the costs at the next scheduled finance committee meeting.

GRASS/WEEDS & PRAIRIE PLANTINGS

David Nord stated that he has been receiving weed/mowing (in rough areas) complaints from residents and recommended that the village set policy defining noxious weeds. Joe Caveny presented the committee with a list of prohibited weeds (see attached sheet). Attorney Jim Stevens said that he will work with Joe Caveny and David Nord before drafting this into ordinance form.

BUILDING CODES EXTERIOR BUILDINGS

James Coppernoll presented a sample ordinance from the City of Danville regulating vacant structures.

Attorney Jim Stevens was asked to review the sample ordinance and make recommendations to incorporate this with the proposed Nuisance ordinance.

JTJ, LLC REBATE AGREEMENT

It was the consensus to present the ordinance for first reading at the July 15, 2008 village board meeting. Attorney Jim Stevens presented the committee with the development agreement between the Village and JTJ, LLC. that the village will agree to make payments to JTJ, LLC. fifty percent of the Retailer's Occupations Tax generated on the property zoned commercial located Bell School Road for fifteen years. Attorney Stevens and committee set the public hearing for August 5, 2008 @ 6:55 pm with passage of the ordinance. **Sally Hollebeak moved to authorize Attorney Jim Stevens to draft this document in ordinance form. Tad Whitchurch seconded. Motion carried by voice vote.**

FENCES

David Nord stated that the villages' current fence ordinance does not have a provision that would enforce property owners to erect their fences with the good side facing towards adjoining properties. After further discussion it was the consensus to have Attorney Jim Stevens draft an ordinance that would enforce property owners to erect their fences with the good side facing towards adjoining properties. **Sally Hollebeak moved to authorize Attorney Jim Stevens to draft this into ordinance form and send it to the village board for first reading on July 15, 2008.**

PRESIDENT'S REPORT

President Claeysen presented the committee with "Intergovernmental Cooperation Agreement Between the County of Winnebago, Illinois and the Village of Cherry Valley, Illinois for the Construction of Improvements to Bell School Road from North of Newburg Road to Mill Road

Section 04-03360-00 PV.” **Sally Hollemeak moved to send the intergovernmental agreement to the village board for approval. James Coppernoll seconded. Motion carried by voice vote.**

Sally Hollemeak moved to adjourn at 7:50 pm. Tad Whitchurch seconded. Motion carried by voice vote.

Recorded by: Village Clerk, Nancy L. Belt

Approved by Chairman James Coppernoll on July 2, 2008